

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1267 An Act to Establish the Maine Outdoor Recreation Council ONTP

Sponsor(s)
O'DEA

Committee Report
ONTP

Amendments Adopted

LD 1267 proposed to establish the Maine Outdoor Recreation Council. The council would have consisted of 14 members representing State Government, business interests and various public interests. The council would have coordinated the development and promotion of outdoor recreation and facilities in the State. Members of the council would have received no compensation. The council would have received assistance, within available resources, from the Department of Conservation, Bureau of Parks and Recreation.

LD 1404 An Act to Amend the Law Regarding the Lease of Submerged Lands PUBLIC 666

Sponsor(s)
KILKELLY
GOULD

Committee Report
OTP-AM

Amendments Adopted
H-728

LD 1404 proposed to repeal existing law related to the granting of leases and easements for submerged and intertidal lands held in trust by the State and establish a new procedure for allowing use and construction upon those lands. Entities, public and private, that use submerged lands for fishing, navigation, fowling or other traditional public trust uses would be granted exclusive use of the submerged lands without requirement of lease or easement as long as those uses continue. Structures that facilitate those traditional uses would be required to be registered and be subject to a \$100 registration fee. Structures that do not facilitate those uses would have to obtain a lease from the Bureau of Public Lands and pay a ~~one~~ administrative fee of \$100. This bill also proposed to establish a Submerged Lands Public Trust Review Board with authority to adopt rules governing submerged lands and to hear appeals of submerged lands leasing~~ing~~ decisions made by the Director of the Bureau of Public Lands.

Committee Amendment "A" (H/28) proposed to require interest earned from submerged lands income be credited to the Submerged Lands Fund; reduce the annual lease rent paid for upland uses from 10% to 2% of the municipally assessed value per square foot of adjacent upland; authorize the renewal of a lease at any time, provided the terms of an existing lease were met at the time of renewal application (If a lease did not conform with all applicable laws, regulations and public trust principles in effect at the time of renewal, the lease would have been amended to reflect current law, rules and principles); raise the minimum annual rent for a submerged lands lease from \$75 to \$100; establish a maximum rent of \$1,200 for any lease; raise the registration fee for easements from \$25 every 5 years to \$50 every 5 years; extend, to December 31, 1996, the deadline for the Bureau of Parks and Lands to register all structures that were upon submerged and intertidal lands as of October 1, 1975; and establish the Submerged Lands Advisory Board to provide advice and information to the Director of the Bureau of Parks and Lands on the management of submerged lands.

Enacted law summary

Public Law 1995, chapter 666 amends the current submerged lands law in the following manner:

1. It requires interest earned from submerged lands income be credited to the Submerged Lands Fund;
2. It reduces the annual lease rent paid for upland uses from 10% to 2% of the municipally assessed value per square foot of adjacent upland;
3. It authorizes the renewal of a lease at any time, provided the terms of an existing lease are met at the time of renewal application. If a lease does not conform with all applicable laws, regulations and public trust principles in effect at the time of renewal, the lease must be amended to reflect current law, rules and principles;
4. It raises the minimum annual rent for a submerged lands lease from \$75 to \$100;
5. It establishes a maximum rent of \$1,200 for any lease;
6. It raises the registration fee for easements from \$25 every 5 years to \$50 every 5 years;
7. It extends, to December 31, 1996, the deadline for the Bureau of Parks and Lands to register all structures that were upon submerged and intertidal lands as of October 1, 1975; and
8. It establishes the Submerged Lands Advisory Board to provide advice and information to the Director of the Bureau of Parks and Lands on the management of submerged lands.

**LD 1469 Resolve, Directing the Commissioner of Agriculture,
Food and Rural Resources to Research the Reinstatement
of a State-operated Meat Inspection Program**

RESOLVE 78

Sponsor(s)
KILKELLY
CASSIDY

Committee Report
OTP-AM

Amendments Adopted
H-749
S-593

LD 1469 proposed to reenact, with updated language, the Maine Meat Inspection Act repealed in 1980. It would have provided for state inspection and regulation of the slaughter, processing, labeling, sale and transportation of cattle, sheep, swine, goats or horses, mules or other equines in intrastate commerce.

Committee Amendment "A" (H749) proposed to replace the bill and make it a resolve. It proposed to provide the Department of Agriculture, Food and Rural Resources a \$20,000 General Fund appropriation to research establishment of a state-operated meat inspection program and initiate a pilot project under an inspection process known as "hazard analysis critical control point." Contingent upon the Department of Agriculture, Food and Rural Resources receiving the appropriation, the Commissioner of Agriculture, Food and Rural Resources would have been required to report by March 15, 1997 on the department's progress.

Senate Amendment "A" to Committee Amendment "A" (S93) proposed to replace Committee Amendment "A". It proposed to require the Commissioner of Agriculture, Food and

Rural Resources to establish a state meat inspection advisory committee and to perform the following tasks: develop for custom meat processors in this State a hazard analysis critical control point manual that complies with United States Department of Agriculture standards; develop legislation to establish a hazard analysis critical control point program for meat inspection in this State; determine the feasibility and criteria for a hazard analysis critical control point pilot project; and negotiate with the United States Department of Agriculture to establish a hazard analysis critical control point pilot project for meat inspection in this State. It proposed to remove from the bill the \$20,000 General Fund appropriation and require the Department of Agriculture, Food and Rural Resources to accomplish the tasks to the extent possible within existing budgeted resources.

Enacted law summary

Resolve 1995, chapter 78 requires the Commissioner of Agriculture, Food and Rural Resources to establish a state meat inspection advisory committee and to perform the following tasks: develop for custom meat processors in this State a hazard analysis critical control point manual that complies with United States Department of Agriculture standards; develop legislation to establish a hazard analysis critical control point program for meat inspection in this State; determine the feasibility and criteria for a hazard analysis critical control point pilot project; and negotiate with the United States Department of Agriculture to establish a hazard analysis critical control point pilot project for meat inspection in this State. The commissioner must report on these tasks by February 1, 1997 to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry.

**LD 1593 An Act to Implement the Productivity Plan of the Department
of Agriculture, Food and Rural Resources Relating to the
Animal Welfare Board, the Maine Dairy Promotion Board and
the Maine Dairy and Nutrition Council**

PUBLIC 693
EMERGENCY

Sponsor(s)

KERR
CARPENTER

Committee Report

OTP-AM

Amendments Adopted

H-843
S-527

LD 1593 proposed to repeal the Animal Welfare Board and transfer the board's responsibilities regarding investigation of pet animal cruelty complaints to the commissioner. Other powers and responsibilities of the board, such as the appointment of intermittent humane agents and the operation of a spaying and neutering fund, would be transferred to the commissioner. The role as well as the membership of the Animal Welfare Advisory Committee would be expanded. The committee would have included one member who is or has been a licensed veterinarian and another member who represents the interest of the public in animal welfare, generally. All committee members would have continued to be appointed by the Governor, but would no longer be subject to legislative review and confirmation.

The bill proposed to make adjustments to Other Special Revenue allocations for the Maine Dairy Promotion Board and provide for the elimination of the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council. The department would have carried out the board's and council's programs with the assistance and advice of a new Maine Dairy and Nutrition Advisory Council and a Maine Dairy Promotion Advisory Board.

Committee Amendment "A" (H43) proposed to make the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council independent public instrumentalities of the State. It proposed to strike those sections of the bill that would have made the council and the board advisory bodies to the Department of Agriculture, Food and Rural Resources.

The amendment also proposed to make technical changes to Maine's dairy laws. It also proposed to strike sections of the bill related to Maine's animal welfare laws because those sections were enacted by the Legislature during the 1995 Special Session.

Senate Amendment "A" (S27) proposed replacing a section of the bill to take into account a change made by Public Law 1995, chapter 502, Part C, section 3.

Enacted law summary

Public Law 1995, chapter 693 makes the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council independent public instrumentalities of the State. The amendment also makes technical changes to Maine's dairy laws.

Chapter 693 was enacted as an emergency measure effective April 11, 1996.

LD 1686 An Act to Remove the 50foot Buffer Requirement When Cutting ONTP
Trees

Sponsor(s)
LORD

Committee Report
ONTP

Amendments Adopted

LD 1686 would have prohibited the requirement that separation zones be left on sides of a lot when cutting trees.

LD 1691 An Act to Amend the Law Allowing the Growth and Sale of PUBLIC 556
Cultivated Ginseng in Maine EMERGENCY

Sponsor(s)
CASSIDY
KILKELLY

Committee Report
OTP-AM

Amendments Adopted
S-434

LD 1691 proposed to provide the Department of Agriculture, Food and Rural Resources with the authority to maintain maps and locations of ginseng plantings in the State as confidential business information.

Committee Amendment "A" (S434) proposed to clarify language in the bill by stating that records required of cultivated ginseng licensees by the department pertaining to the location of ginseng plantings may not be made available for public inspection. The amendment also proposed to remove from public inspection ginseng license applications and the names and addresses of licensees. This confidential status would terminate when the records are used by the department as evidence for an enforcement action pursuant to this chapter or are subpoenaed in any proceeding to enforce a provision of this chapter, or are used in any prosecution for a criminal violation. A licensee could authorize in writing the disclosure of records pertaining to license applications and the names and addresses of licensees.

Enacted law summary

Public Law 1995, chapter 556 provides that records required of cultivated ginseng licensees by the department pertaining to the location of ginseng plantings are not available for public inspection. It also removes from public inspection ginseng license applications and the names and addresses of licensees. This confidential status terminates when the records are used by the department as evidence for an enforcement action pursuant to this chapter or are subpoenaed in any proceeding to enforce a provision of this chapter, or are used in any prosecution for a criminal violation. A licensee may authorize in writing the disclosure of records pertaining to license applications and the names and addresses of licensees.

Chapter 556 was enacted as an emergency measure effective March 20, 1996.

LD 1712 An Act to Increase the Municipal Share of Dog Licensing Fees

PUBLIC 557

Sponsor(s)
STROUT

Committee Report
OTP-AM

Amendments Adopted
H-729

LD 1712 proposed to change the allocation of dog license fees between municipalities and the State. It proposed to increase the money that may be retained by municipalities by allowing municipalities to retain \$3 from each license for a dog capable of producing young and \$11 from each kennel license. Municipalities had been retaining \$1 from each license for a dog capable of producing young and \$5 from each kennel license. The additional revenue to municipalities would be used to meet legal obligations with respect to animal control, care of injured and abandoned animals and support of animal shelters. The bill also proposed to repeal provisions allowing animal shelters to recover \$4 per day for a period of 6 days for housing strays on behalf of municipalities and requiring notice to municipalities of a dog's being found. This bill also corrects references to chapters pertaining to duties and responsibilities of the municipalities.

Committee Amendment "A" (H/29) proposed to remove those sections of the bill that would have repealed the provisions allowing animal shelters to recover \$4 per day for a period of 6 days for housing strays on behalf of municipalities and requiring notice to municipalities of a dog being found.

The amendment also proposed to alter a section of the bill that makes changes in those chapters of the animal welfare laws that municipal officers and other municipal agents are required to follow or be subject to fines. The amendment proposed to delete from the requirement spelled out in the bill those chapters of the animal welfare laws under which municipal officers or agents are not required to perform functions.

The amendment also proposed to change the distribution of license fees paid for dogs or wolf hybrids incapable of producing young. The amendment also proposed to increase the amount deposited in a municipality's animal welfare account from \$1 to \$2 and decrease the amount deposited in the state's Animal Welfare Fund from \$2 to \$1.

Enacted law summary

Public Law 1995, chapter 557 changes the distribution of license fees paid for dogs or wolf hybrids incapable of producing young. It increases the amount deposited in a municipality's animal welfare account from \$1 to \$2 and decreases the amount deposited in the state's Animal Welfare Fund from \$2 to \$1. The law also makes changes in those chapters of the animal welfare

laws that municipal officers and other municipal agents are required to follow or be subject to fines. It deletes from the requirements those chapters of the animal welfare laws under which municipal officers or agents are not required to perform functions.

LD 1719 An Act to Correct Omissions in the Productivity Realization Task Force Legislation Relating to the State Soil and Water Conservation Commission and the Animal Welfare Board PUBLIC 532

<u>Sponsor(s)</u> CASSIDY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-426
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LD 1719 proposed to accurately reflect the legislative intent of Senate Amendment "F" to Committee Amendment "A" to LD 1589, which was enacted into law as Public Law 1995, chapter 502. The statement of fact to that amendment indicated that the intention of the amendment was to incorporate 2 other Senate amendments that were in conflict. This bill proposed to include sections that Senate Amendment "F" to Committee Amendment "A" inadvertently omitted. These sections proposed to repeal the State Soil and Water Conservation Commission, which assists soil and water conservation districts throughout the state. The sections propose to transfer the duties of the commission to the Department of Agriculture, Food and Rural Resources and create the State Conservation District Advisory Council to advise the Commissioner of Agriculture, Food and Rural Resources.

Committee Amendment "A" (S426) proposed to repeal a section of law pertaining to the legal services, executive director and delegation of power of the State Soil and Water Conservation Commission. It also proposed to reorganize language in the bill concerning the State Conservation District Advisory Council and the duties of the Department of Agriculture, Food and Rural Resources relative to soil and water conservation districts.

Enacted law summary

Public Law 1995, chapter 532 repeals the State Soil and Water Conservation Commission, which assisted soil and water conservation districts throughout the state. The law transfers the duties of the commission to the Department of Agriculture, Food and Rural Resources and it creates the State Conservation District Advisory Council to advise the Commissioner of Agriculture, Food and Rural Resources.

LD 1725 An Act to Clarify and Improve the Governor's Authority to Ban Out-of-door Fires and Restrict Human Activity during Periods of High Fire Danger PUBLIC 586

<u>Sponsor(s)</u> CASSIDY KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-504
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LD 1725 proposed to clarify the Governor's authority to restrict those activities that are likely to result in forest fires while allowing other lower risk activities that involve fire to continue. The statutory language in effect at the time the bill was presented specifically listed only 2 exemptions from a ban on open fires. The changes proposed in the bill would have allowed the Governor to exempt other activities from a ban provided they were not likely to pose a threat to lives or property.

This bill also proposed that a person who sets an arson forest fire commits a Class A crime.

Committee Amendment "A" (§504) proposed to establish a process and conditions under which out-of-door fires and the use of charcoal or gas grills at private licensed camping facilities and certain public camping facilities may be exempt from a fire ban proclamation issued by the Governor. The public camping facilities are those under the jurisdiction of the Department of Conservation and the Baxter State Park Authority. The amendment proposed to establish penalties for people who violate the conditions at exempt facilities. It also proposed to strike the Class A crime for arson forest fire. In addition, the amendment proposed to provide the Governor the authority to exempt from a fire ban human activities and out-of-door fires that do not create a significant forest fire threat.

Enacted law summary

Public Law 1995, chapter 586 establishes a process and conditions under which out-of-door fires and the use of charcoal or gas grills at private licensed camping facilities and certain public camping facilities may be exempt from a fire ban proclamation issued by the Governor. The public camping facilities are those under the jurisdiction of the Department of Conservation and the Baxter State Park Authority. The amendment establishes penalties for people who violate the conditions at exempt facilities. It also strikes the Class A crime for arson forest fire. In addition, the amendment provides the Governor the authority to exempt from a fire ban human activities and out-of-door fires that do not create a significant forest fire threat.

LD 1776 Resolve, to Require Additional Promotion of the Maine Quality Seal

RESOLVE 68
EMERGENCY

Sponsor(s)
SPEAR

Committee Report
OTP-AM

Amendments Adopted
H-826

LD 1776 was one of 6 bills submitted by the Commission to Study Options for Preserving the Dairy Industry in the State.

The resolve proposed to require the Maine Dairy Promotion Board to increase promotion of the Maine Quality Seal for dairy products. It also proposed the board set specific goals for the promotion and to evaluate the promotion effort. It proposed that \$50,000 be transferred from the Maine Dairy Farm Stabilization Fund to be used toward the expenses for this promotion.

House Amendment "A" (H826) proposed to correct a spelling error and add a fiscal note.

Enacted law summary

Resolve 1995, chapter 68 requires the Maine Dairy Promotion Board to increase promotion of the Maine Quality Seal for dairy products. It requires the board to set specific goals for the promotion and to evaluate the promotion effort. It provides that \$50,000 be transferred from the Maine Dairy Farm Stabilization Fund to be used toward the expenses for this promotion.

Chapter 68 was enacted as an emergency measure effective April 2, 1996.

LD 1778 Resolve, to Require the Department of Agriculture, Food and Rural Resources to Take Various Actions in Support of the Dairy Industry

RESOLVE 69
EMERGENCY

Sponsor(s)
SPEAR

Committee Report
OTP-AM

Amendments Adopted
H-801

LD 1778 was one of 6 bills submitted by the Commission to Study Options for Preserving the Dairy Industry in the State. It proposed to require the Commissioner of Agriculture, Food and Rural Resources to accomplish the following tasks:

1. Assist the joint standing committee of the Legislature having jurisdiction over agricultural matters in developing a plan with other northeastern states to apportion agricultural research among the various land grant universities;
2. Work on dairy farm energy issues;
3. Improve communication regarding value-added dairy products;
4. Ensure that the Maine Milk Commission is not being overly restrictive in approving dairy promotions;
5. Establish a clearinghouse for those desiring to sell and those desiring to buy farms;
6. Develop a program for on-site management advice for dairy farms;
7. Ensure that dairy interests are aware of proposed environmental rules that might affect the dairy industry; and
8. Request Maine's Congressional delegation to attempt to have dairy products placed under the North American Free Trade Agreement with Canada. The action or trade with Canada must be initiated within 30 days of the effective date of this resolve and the plan for on-site management advice must be completed by January 1, 1997. The remaining activities require a yearly status report until accomplished. No date for final accomplishment is given.

Committee Amendment "A" (H801) proposed to change language in the first two tasks outlined in the resolve. Regarding the first task, the amendment proposed to require the Commissioner of Agriculture, Food and Rural Resources to investigate the potential to work with other northeastern states on the development and implementation of a program to apportion agricultural research among the land grant colleges in different states with the goals of encouraging specialization and avoiding duplication. The resolve had proposed requiring the commissioner to assist the joint standing committee of the Legislature having jurisdiction over agricultural matters in the land grant task. Regarding the second task in the resolve, the amendment proposed that the commissioner continue the discussions of the Commission to Study Options for Preserving the Dairy Industry in the State with Central Maine Power Company regarding stray voltage in dairy barns, diesel deferral rates and the differences in rates offered to residential and commercial customers.

Enacted law summary

Resolve 1995, chapter 69 requires the Commissioner of Agriculture, Food and Rural Resources to accomplish the following tasks:

1. Investigate the potential to work with other northeastern states to apportion agricultural research among the various land grant universities;
2. Work on dairy farm energy issues;
3. Improve communication regarding value-added dairy products;
4. Ensure that the Maine Milk Commission is not being overly restrictive in approving dairy promotions;
5. Establish a clearinghouse for those desiring to sell and those desiring to buy farms;
6. Develop a program for on-site management advice for dairy farms;
7. Ensure that dairy interests are aware of proposed environmental rules that might affect the dairy industry; and
8. Request Maine's Congressional delegation to attempt to have dairy products placed under the North American Free Trade Agreement with Canada. The action or trade with Canada must be initiated within 30 days of the effective date of this resolve and the plan for on-site management advice must be completed by January 1, 1997. The remaining activities require a yearly status report until accomplished. No date for final accomplishment is given.

Chapter 69 was enacted as an emergency measure effective April 2, 1996.

LD 1808 An Act to Increase the Reimbursement Levels for Forest Fire Suppression Costs

INDEF PP

Sponsor(s)
CARR
TUTTLE

Committee Report
OTP-AM

Amendments Adopted
H-862

Under current law, municipalities are entitled to reimbursement for incurred forest fire suppression costs that exceed .25% of their state valuation. Anything above this threshold is reimbursed by the State.

LD 1808 proposed changing the law by repealing the threshold amount and requiring the State to reimburse municipalities for 50% of the costs incurred by the municipalities, regardless of the amount of the costs of fire suppression. The State would have been required to pay for or reimburse the municipality for forest fire suppression costs above .25% of the state valuation of the municipality.

The effect of the changes proposed by this bill would have been felt only by those municipalities that currently incur fire suppression costs that do not reach the .25% valuation threshold. The bill would have returned the law to the language that existed prior to changes that were made in 1991.

Committee Amendment "A" (H862) proposed to strike the bill. It proposed that a municipality pay up to .50% of its state valuation for the costs of fighting forest fires in the municipality and the State reimburse the municipality for 1/2 of those costs. The amendment also

proposed to require the State to pay for all forest fire costs greater than .50% of a municipality's state valuation. Under current state law, a municipality must pay all the costs of forest fire control up to .25% of the municipality's state valuation with no reimbursement by the State. The State, under current law, must pay all forest fire costs in a municipality that exceed .25% of the municipality's state valuation.

The amendment also proposed to require a municipality to pay the first \$10,000 in fire suppression costs for each forest fire, except that the total amount a municipality pays annual for forest fire suppression costs could not exceed .50% of the municipality's state valuation.

The amendment also proposed to provide that the unorganized territory reimburse the State for 1/2 of the costs of fighting forest fires up to a total fire-fighting cost equal to .50% of the unorganized territory's state valuation. The State would pay forest fire costs in the unorganized territory that are greater than .50% of the unorganized territory's state valuation. Under current state law, the unorganized territory must reimburse the State for all the costs of forest fire control up to .25% of the unorganized territory's state valuation with no reimbursement by the State. The State, under current law, must pay all forest fire costs in the unorganized territory that exceed .25% of the unorganized territory's state valuation.

The amendment also proposed to require the unorganized territory to pay, for each forest fire, the first \$10,000 in fire suppression costs, except that the total amount the unorganized territory pays annually for forest fire suppression costs could not exceed .50% of the unorganized territory's state valuation.

**LD 1809 An Act Strengthening the Laws That Prohibit the
Drugging of Animals Competing in Pulling Events and
Livestock Exhibitions**

PUBLIC 602

Sponsor(s)
WHITCOMB
SPEAR

Committee Report
OTP-AM

Amendments Adopted
H-802

LD 1809 proposed to strengthen the current laws that prohibit the drugging of animals entered in pulling contests and expand the prohibition to include animals entered in livestock exhibitions.

As with the law in effect when the bill was presented, the bill proposed to allow the use of therapeutic drugs, but require a written statement to be filed within one hour of the administration of medication indicating, among other pertinent information, the type of medication and the reason for the treatment. A minimum forfeiture for violations was proposed. In addition, the bill proposed all prize money and trophies won by the animal be returned.

Committee Amendment "A" (H802) proposed to add to the definition of "prohibited substance" any substance that the Commissioner of Agriculture, Food and Rural Resources by rule determines could affect the conduct, actions, endurance, strength, speed performance, appearance or disposition of an animal entering into a pulling event or livestock exhibition. It also proposed to clarify that an animal's owner or trainer may not refuse to secure or restrain an animal for examination and may not interfere with the securing or restraining of an animal.

The amendment also proposed to require notice to be provided to the manager of an event when an animal has been administered a therapeutic drug. It also proposed to describe the conditions under which a trainer may administer therapeutic drugs.

Enacted law summary

Public Law 1995, chapter 602 repeals existing law relating to the drugging of animals entered in pulling events and enacts new law to include prohibitions related to the drugging of animals entered into livestock exhibitions as well as prohibitions related to the drugging of animals entered into pulling contests. The bill defines “prohibited substance” and provides the Commissioner of Agriculture, Food and Rural Resources the authority to add to that definition any substance the commissioner determines could affect the conduct, actions, endurance, strength, speed, performance, appearance or disposition of an animal. In addition, the law makes the owner or trainer of an animal entered into an event responsible for the condition of an animal, including the presence of an prohibited substance. The law also establishes procedures related to violations and the administration of therapeutic drugs.

LD 1819 An Act to Promote Forest Rehabilitation and Eliminate Clearcutting ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
INITIATED BILL	ONTP	

LD 1819, a voter initiated bill, proposed to set standards for timber harvesting activities within the jurisdiction of the Maine Land Use Regulation Commission. These standards would have included the elimination of clearcutting, limits on the amount of timber that may be harvested in a specified period of time, and minimum tree stand volume following harvesting operations.

LD 1843 An Act to Encourage Enterprises Engaged in Agriculture and Aquaculture in Maine and to Amend the Maine Seed Capital Tax Credit Program PUBLIC 658 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASSIDY	OTP-AM	S-542

LD 1843 proposed to create the Agricultural Marketing Loan Fund, which would be administered by the Department of Agriculture, Food and Rural Resources. The fund would be used to provide loans for enterprises engaged in agriculture and aquaculture. All loans under the program would be made in conjunction with private lenders or other sources of capital.

Committee Amendment "A" (§542) proposed to establish the Agricultural Marketing Loan Fund within the Finance Authority of Maine, but place the administration of the fund under the jurisdiction of the Commissioner of Agriculture, Food and Rural Resources.

The amendment also proposed to amend the Maine Seed Capital Tax Credit Program to allow a principal owner's parents, brothers, sisters or children to receive tax credits for investments in the principal owner's business and for investments in a venture capital fund that invests in the principal owner's business. The amendment also proposed that no tax credit certificate may be issued to a parent, brother, sister or child of a principal owner if the parent, brother, sister or child has any existing ownership interest in the business.

Enacted law summary

Public Law 1995, chapter 658 establishes the Agricultural Marketing Loan Fund within the Finance Authority of Maine, but places the administration of the fund under the jurisdiction of the Commissioner of Agriculture, Food and Rural Resources. It also amends the Maine Seed Capital Tax Credit Program to allow a principal owner's parents, brothers, sisters or children to receive tax credits for investments in the principal owner's business and for investments in a venture capital fund that invests in the principal owner's business. The law also requires that no tax credit certificate may be issued to a parent, brother, sister or child of a principal owner if the parent, brother, sister or child has any existing ownership interest in the business.

Chapter 658 was enacted as an emergency measure effective April 10, 1996.

LD 1888 An Act Regarding the Maine Potato Board

PUBLIC 702
EMERGENCY

Sponsor(s)
SPEAR

Committee Report
OTP

Amendments Adopted

LD 1888 proposed that employees of the Maine Potato Board be considered state employees for the purposes of the Maine State Retirement System and the state employee health insurance program. Public Law 1995, chapter 502 established the Maine Potato Board as an incorporated public instrumentality of the State effective March 1, 1996. It authorized the board to become a participating local district of the Maine State Retirement System. However, admission to the system is permitted annually on July 1st, leaving in question the retirement benefits of board employees between March 1, 1996 and the date of admission of a participating local district into the retirement system. This bill proposed to clarify the retirement and health insurance status of the board's employees by making them state employees for the purposes of retirement and health insurance.

The bill also proposed to clarify that any funds received by the State Treasurer from the potato tax must be allocated to the Maine Potato Board by the Legislature.

Enacted law summary

Public Law 1995, chapter 702 provides that employees of the Maine Potato Board are considered state employees for the purposes of the Maine State Retirement System and the state employee health insurance program. The law also clarifies that any funds received by the State Treasurer from the potato tax must be allocated to the Maine Potato Board by the Legislature.

Chapter 702 was enacted as an emergency measure effective April 11, 1996.